



MAIL STOP AF
RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: T. Yamaguchi et al. Attorney Docket No.: NAIII17989
Application No.: 09/936,148 Art Unit: 1745 / Confirmation No.: 7918
Filed: September 7, 2001 Examiner: L.S. Weiner
Title: ELECTROLYTIC MEMBRANE FOR FUEL CELL AND
MANUFACTURING METHOD THEREOF, AND FUEL CELL AND ITS
MANUFACTURING METHOD

TRANSMITTAL LETTER FOR RESPONSE
AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116

Seattle, Washington 98101
April 24, 2006

TO THE COMMISSIONER FOR PATENTS:

A. Response Transmittal

Transmitted herewith is a response to an Office Action in the above-identified application. No additional claim fee is required.

B. Additional Fee Charges or Credit for Overpayment

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}

Laura A. Cruz
Registration No. 46,649
Direct Dial No. 206.695.1725

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: April 24, 2006
LXC:mmw

NAIII17989148A1.DOC

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100



MAIL STOP AF
RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: T. Yamaguchi et al. Attorney Docket No.: NAI117989
Application No.: 09/936,148 Art Unit: 1745 / Confirmation No: 7918
Filed: September 7, 2001 Examiner: L.S. Weiner
Title: ELECTROLYTIC MEMBRANE FOR FUEL CELL AND
MANUFACTURING METHOD THEREOF, AND FUEL CELL
AND ITS MANUFACTURING METHOD

RESPONSE AFTER FINAL

Seattle, Washington 98101
April 24, 2006

TO THE COMMISSIONER FOR PATENTS:

REMARKS

This paper is filed in response to the final Office Action mailed on February 23, 2006. Currently, Claims 14-38, 42-58, 60, 61, and 63-71 are pending in the application. Claims 14-38, 42-57, and 66-71 are allowed. Claims 58, 60, 61, 64, and 65 are rejected. Claim 63 is objected to.

The Rejection of Claims 58, 60, 61, 64, and 65 Under 35 U.S.C. § 102(e)

Claims 58, 60, 61, 64, and 65 are rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Formato et al. (U.S. Patent No. 6,248,469). Applicants respectfully traverse the rejection.

According to the final Office Action, the Examiner states that "Since Formato et al. teaches that the porous substrate is interpenetrated with an ion-conducting material then inherently the pores of the porous substrate would be filled with the graft polymer and be bound to a surface of a pore must also be obtained."

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100